United Nations A/AC.105/C.2/L.303

General Assembly

Distr.: Limited
29 January 2018

Original: English

**Committee on the Peaceful Uses of Outer Space**
**Legal Subcommittee**
**Fifty-seventh session**
Vienna, 9–20 April 2018

# Annotated provisional agenda

## Provisional agenda

1. Adoption of the agenda.
2. Election of the Chair.
3. Statement by the Chair.
4. General exchange of views.
5. Information on the activities of international intergovernmental and non-governmental organizations relating to space law.
6. Status and application of the five United Nations treaties on outer space.
7. Matters relating to:
   (a) The definition and delimitation of outer space;
   (b) The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union.
8. National legislation relevant to the peaceful exploration and use of outer space.
9. Capacity-building in space law.
10. Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space.
11. General exchange of information and views on legal mechanisms relating to space debris mitigation and remediation measures, taking into account the work of the Scientific and Technical Subcommittee.
12. General exchange of information on non-legally binding United Nations instruments on outer space.
13. General exchange of views on the legal aspects of space traffic management.
14. General exchange of views on the application of international law to small-satellite activities.

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15. General exchange of views on potential legal models for activities in exploration, exploitation and utilization of space resources.

16. Proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its fifty-eighth session.

## Annotations[1]

**2. Election of the Chair.**

In its decision 72/518, entitled "Election of officers nominated for the bureaux of the Committee on the Peaceful Uses of Outer Space and its subsidiary bodies for the period 2018–2019", the General Assembly endorsed the composition of the bureaux of the Committee and its subsidiary bodies for the period 2018–2019 and agreed that the Committee and its subsidiary bodies, at their respective sessions in 2018, shall elect their officers nominated for that period.

In accordance with a note verbale from the Permanent Mission of Bosnia and Herzegovina, Andrzej Misztal (Poland) is nominated for election to the office of Chair of the Legal Subcommittee for the period 2018–2019.

**5. Information on the activities of international intergovernmental and non-governmental organizations relating to space law**

The Subcommittee will have before it a note by the Secretariat containing information on the activities of international intergovernmental and non-governmental organizations relating to space law (A/AC.105/C.2/113).

**6. Status and application of the five United Nations treaties on outer space**

In paragraph 4 of its resolution 72/77, the General Assembly agreed that the Legal Subcommittee, at its fifty-seventh session, should reconvene its Working Group on the Status and Application of the Five United Nations Treaties on Outer Space.

The Subcommittee, at its fifty-sixth session, agreed that it would reconvene the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space for the duration of the multi-year workplan under UNISPACE+50 thematic priority 2, until 2020, in accordance with the established working method (A/AC.105/1122, para. 73, and annex I, paras. 4 and 8).

The Working Group will also consider the draft resolution on UNISPACE+50 (A/72/20, para. 324 (f)).

The Working Group will have before it a note by the Secretariat entitled "Thematic priority 2. Legal regime of outer space and global governance: current and future perspectives" (A/AC.105/1169).

The Working Group will have before it responses to the questionnaire on the application of international law to small-satellites activities as contained in A/AC.105/1122, annex I, appendix II.

[1] The annotations and the indicative schedule of work are not part of the agenda to be adopted by the Subcommittee.

**7. Matters relating to:**

**(a) The definition and delimitation of outer space**

**(b) The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union**

In paragraph 4 of its resolution 72/77, the General Assembly agreed that the Legal Subcommittee, at its fifty-seventh session, should reconvene its Working Group on the Definition and Delimitation of Outer Space.

At its thirty-ninth session, in 2000, the Subcommittee agreed that the Working Group would consider only matters relating to the definition and delimitation of outer space (A/AC.105/738, para. 108).

The Subcommittee will have before it a note by the Secretariat containing information received from States members of the Committee on national legislation and practice relating to the definition and delimitation of outer space (A/AC.105/865/Add.20 and A/AC.105/865/Add.21), a note by the Secretariat containing replies from Member States of the United Nations and permanent observers of the Committee to questions on suborbital flights for scientific missions and/or for human transportation (A/AC.105/1039/Add.10 and A/AC.105/1039/Add.11), and a note by the Secretariat containing views of States members and permanent observers of the Committee on the definition and delimitation of outer space (A/AC.105/1112/Add.4 and A/AC.105/1112/Add.5).

The Subcommittee will also have before it a working paper prepared by the Chair of the Working Group on the Definition and Delimitation of Outer Space of the Legal Subcommittee, entitled "Promoting the discussion of the matters relating to the definition and delimitation of outer space with a view to elaborating a common position of States members of the Committee on the Peaceful Uses of Outer Space" (A/AC.105/C.2/L.302).

**8. National legislation relevant to the peaceful exploration and use of outer space**

The Subcommittee will continue to consider the item on national legislation relevant to the peaceful exploration and use of outer space (A/72/20, para. 244).

**9. Capacity-building in space law**

The Subcommittee will continue to consider the item on capacity-building in space law (A/72/20, para. 244).

**10. Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space**

The Committee on the Peaceful Uses of Outer Space, at its sixtieth session, agreed that the item on review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space should be considered as a single issue/item for discussion on the agenda of the Legal Subcommittee at its fifty-seventh session (A/72/20, para. 244).

**11. General exchange of information and views on legal mechanisms relating to space debris mitigation and remediation measures, taking into account the work of the Scientific and Technical Subcommittee**

The Committee on the Peaceful Uses of Outer Space, at its sixtieth session, agreed that the item on general exchange of information and views on legal mechanisms relating to space debris mitigation and remediation measures, taking into account the work of the Scientific and Technical Subcommittee, should be considered as a single issue/item for discussion on the agenda of the Legal Subcommittee at its fifty-seventh session (A/72/20, para. 244 and A/AC.105/1122, para. 270).

**12. General exchange of information on non-legally binding United Nations instruments on outer space**

The Committee on the Peaceful Uses of Outer Space, at its sixtieth session, agreed that the item on general exchange of information on non-legally binding United Nations instruments on outer space should be considered as a single issue/item for discussion on the agenda of the Legal Subcommittee at its fifty-seventh session (A/72/20, para. 244).

**13. General exchange of views on the legal aspects of space traffic management**

The Committee on the Peaceful Uses of Outer Space, at its sixtieth session, agreed that the item on general exchange of views on the legal aspects of space traffic management should be considered as a single issue/item for discussion on the agenda of the Legal Subcommittee at its fifty-seventh session (A/72/20, para. 244).

**14. General exchange of views on the application of international law to small-satellite activities**

The Committee on the Peaceful Uses of Outer Space, at its sixtieth session, agreed that the item on general exchange of views on the application of international law to small-satellite activities should be considered as a single issue/item for discussion on the agenda of the Legal Subcommittee at its fifty-seventh session (A/72/20, para. 244).

**15. General exchange of views on potential legal models for activities in exploration, exploitation and utilization of space resources**

The Committee on the Peaceful Uses of Outer Space, at its sixtieth session, agreed that the item on general exchange of views on potential legal models for activities in exploration, exploitation and utilization of space resources should be considered as a single issue/item for discussion on the agenda of the Subcommittee at its fifty-seventh session (A/72/20, para. 244).

**16. Proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its fifty-eighth session**

At its fifty-seventh session, the Legal Subcommittee will submit its proposal to the Committee for the draft provisional agenda for the fifty-eighth session of the Subcommittee.

*Symposium*

The Subcommittee, at its fifty-sixth session, agreed that the International Institute of Space Law and the European Centre for Space Law should again be invited to organize a symposium, to be held during its fifty-seventh session (A/AC.105/1122, para. 275). A symposium on the theme "Fiftieth anniversary of the Rescue and Return Agreement: relevance and challenges" will be held in the afternoon of 9 April 2018.

# Annex

## Organization of work

1. The work of the Legal Subcommittee has been scheduled so as to afford the working groups that will be reconvened under items 6 and 7 (a) of the agenda the maximum amount of time available.

2. The number of statements to be made at each meeting under item 3, entitled "General exchange of views", may be limited, as necessary, in order to allow sufficient time for other agenda items to be considered as planned for each meeting. As a general rule, statements should not exceed 10 minutes, as agreed by the Committee at its fifty-fourth session, in 2011 (A/66/20, para. 298 (b)).

3. The Committee on the Peaceful Uses of Outer Space, at its sixtieth session, decided that, to facilitate progress on UNISPACE+50 during the 2018 cycle of sessions, the Working Group of the Whole of the Scientific and Technical Subcommittee and the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space of the Legal Subcommittee would be mandated to consider the draft resolution on UNISPACE+50. To do so effectively, any technical presentations that might have been requested would be delivered at lunch time only and without interpretation (A/72/20, para. 324 (f)).

4. An indicative schedule of work is provided below. The indicative schedule of work is a general guide to the dates and times when items will be addressed during the session. The consideration of any item may be moved forward, extended or delayed, depending on the requirements of the Subcommittee and any organizational constraints that may arise in the course of the session.

### Indicative schedule of work[a]

| *Date* | *Morning* | *Afternoon* |
|---|---|---|
| **Week of 9–13 April 2018** | | |
| Monday, 9 April | Item 1. Adoption of the agenda<br>Item 2. Election of the Chair<br>Item 3. Statement by the Chair<br>Item 4. General exchange of views | Symposium organized by the International Institute of Space Law and the European Centre for Space Law on the theme "The 50th anniversary of the Rescue and Return Agreement: relevance and challenges" |
| Tuesday, 10 April | Item 4. General exchange of views<br>Item 6. Status and application of the five United Nations treaties on outer space[b]<br>Item 13. General exchange of views on the legal aspects of space traffic management | Item 4. General exchange of views<br>Item 6. Status and application of the five United Nations treaties on outer space[b]<br>Item 13. General exchange of views on the legal aspects of space traffic management |
| Wednesday, 11 April | Item 4. General exchange of views<br>Item 6. Status and application of the five United Nations treaties on outer space[b]<br>Item 13. General exchange of views on the legal aspects of space traffic management | Item 4. General exchange of views<br>Item 7 (a). The definition and delimitation of outer space[c]<br>Item 7 (b). The character and utilization of the geostationary orbit<br>Item 14. General exchange of views on the application of international law to small-satellite activities |

| *Date* | *Morning* | *Afternoon* |
|---|---|---|
| Thursday, 12 April | Item 4. General exchange of views | Item 4. General exchange of views |
| | Item 7 (a). The definition and delimitation of outer space[c] | Item 7 (a). The definition and delimitation of outer space[c] |
| | Item 7 (b). The character and utilization of the geostationary orbit | Item 7 (b). The character and utilization of the geostationary orbit |
| | Item 14. General exchange of views on the application of international law to small-satellite activities | Item 14. General exchange of views on the application of international law to small satellite activities |
| Friday, 13 April | Item 4. General exchange of views | Item 4. General exchange of views |
| | Item 5. Information on the activities of international intergovernmental and non-governmental organizations relating to space law | Item 5. Information on the activities of international intergovernmental and non-governmental organizations relating to space law |
| | Item 15. General exchange of views on potential legal models for activities in exploration, exploitation and utilization of space resources | Item 15. General exchange of views on potential legal models for activities in exploration, exploitation and utilization of space resources |
| **Week of 16–20 April 2018** | | |
| Monday, 16 April | Item 4. General exchange of views | Item 8. National legislation relevant to the peaceful exploration and use of outer space |
| | Item 5. Information on the activities of international intergovernmental and non-governmental organizations relating to space law | Item 9. Capacity-building in space law |
| | Item 15. General exchange of views on potential legal models for activities in exploration, exploitation and utilization of space resources | Item 11. General exchange of information and views on legal mechanisms relating to space debris mitigation and remediation measures, taking into account the work of the Scientific and Technical Subcommittee |
| Tuesday, 17 April | Item 8. National legislation relevant to the peaceful exploration and use of outer space | Item 8. National legislation relevant to the peaceful exploration and use of outer space |
| | Item 9. Capacity-building in space law | Item 9. Capacity-building in space law |
| | Item 11. General exchange of information and views on legal mechanisms relating to space debris mitigation and remediation measures, taking into account the work of the Scientific and Technical Subcommittee | Item 11. General exchange of information and views on legal mechanisms relating to space debris mitigation and remediation measures, taking into account the work of the Scientific and Technical Subcommittee |
| Wednesday, 18 April | Item 10. Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space | Item 10. Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space |
| | Item 12. General exchange of information on non-legally binding United Nations instruments on outer space | Item 12. General exchange of information on non-legally binding United Nations instruments on outer space |
| | Item 16. Proposals to the Committee for new items to be considered by the Subcommittee | Item 16. Proposals to the Committee for new items to be considered by the Subcommittee |

| *Date* | *Morning* | *Afternoon* |
|---|---|---|
| Thursday, 19 April | Item 10. Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space<br>Item 12. General exchange of information on non-legally binding United Nations instruments on outer space<br>Item 16. Proposals to the Committee for new items to be considered by the Subcommittee | Adoption of the report of the Working Group on agenda item 6[b]<br>Adoption of the report of the Working Group on agenda item 7 (a)[c]<br>Adoption of the report of the Legal Subcommittee |
| Friday, 20 April | Adoption of the report of the Legal Subcommittee | Adoption of the report of the Legal Subcommittee |

[a] At its thirty-eighth session, in 1995, the Committee on the Peaceful Uses of Outer Space agreed that the practice of allocating specific agenda items to particular meetings at a session should be ended and that, to assist in their planning, member States would continue to be provided with an indicative schedule of work, which would be without prejudice to the actual timing of consideration of specific agenda items (A/50/20, para. 169 (b)).

[b] The Working Group on the Status and Application of the Five United Nations Treaties on Outer Space, to be reconvened in accordance with paragraph 4 of General Assembly resolution 72/77, will meet during the session to consider item 6. The Legal Subcommittee will resume its consideration of item 6 on Thursday, 19 April, in order to adopt the report of the Working Group.

[c] The Working Group on the Definition and Delimitation of Outer Space, to be reconvened in accordance with paragraph 4 of General Assembly resolution 72/77, will meet during the session to consider item 7 (a). The Legal Subcommittee will resume its consideration of item 7 (a) on Thursday, 19 April, in order to adopt the report of the Working Group.